

**U.S. Department of Labor**

Assistant Secretary for  
Employment and Training  
Washington, D.C. 20210



**JUL - 7 2005**

The Honorable Mike Rounds  
Governor of South Dakota  
500 East Capitol Avenue  
Pierre, South Dakota 57501

Dear Governor Rounds:

It is with pleasure that I respond to the State of South Dakota's request for a waiver of statutory and regulatory requirements under the Workforce Investment Act (WIA). This action is taken under the Secretary's authority to waive certain requirements of WIA Title I, subtitles B and E, and Sections 8-10 of the Wagner-Peyser Act. In the Strategic State Plan for Title I of the Workforce Investment Act and the Wagner-Peyser Act for the two-year period, July 1, 2005, through June 30, 2007, the state submitted one request for a waiver. The following is the disposition of the state's waiver submission (copy enclosed).

The state requested a waiver of the definition of low income individual at WIA Section 101(25)(B), to serve youth who do not meet the youth eligibility requirements and have parents enrolled in WIA programs. Provisions related to eligibility of participants are excluded from the WIA waiver authority, and cannot be waived. The statute provides some flexibility to states in this area through a limited exception to the low-income criterion at WIA Section 129(c)(5).

Although we cannot provide a waiver in this case, we look forward to continuing our partnership with you and achieving better workforce investment outcomes. We are prepared to entertain other state and local-level waiver requests that the state may wish to submit, consistent with the provisions of the WIA statute and regulations.

Sincerely,

Emily Stover DeRocco

Enclosure